

REMARKS

This Amendment is responsive to the Final Office Action mailed April 21, 2008 ("Office Action").

Claim Amendments

Claims 9 and 16 have been amended to specify the oxidation reactor operating temperature. Claims 13 and 19 have been cancelled without prejudice. No new matter is introduced by these amendments.

Claim Rejections – 35 USC § 102

Claims 9, 11-12, 16, 18, and 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Nakagawa et al. (US 6,024,774)("Nakagawa").

In addition to the arguments previously presented and hereby incorporated by reference, Applicants present the following arguments. In amended claims 9 and 16 of the the present invention, the oxidation reactor operating temperature is from about 90°C to about 180°C. In contrast, Nakagawa discloses a much higher reaction temperature – 400°C or higher. According to the Examiner, "one of ordinary skill would have expected the apparatus of Nakagawa is capable of operating within the temperature range of the claimed invention." Applicants respectfully disagree. Nakagawa teaches away from any temperature range less than 400°C ("An object of the present invention is to provide a chemical reaction apparatus capable of enhancing the generation rate for the main product gas, by removing carbon dioxide as a byproduct gas out of the reaction system, while generating the main product gas and carbon dioxide by making a raw material gas to react at a high temperature (for example, 400.degree. C. or higher)." Col. 1, lines 43-49) and therefore claims 9, 11-12, 16, 18, and 22 are not anticipated by Nakagawa. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim Rejection – 35 USC § 102

Claims 9, 12, 15, 16, 21, and 23 stand rejected under 35 U.S.C. §102(e) as being anticipated by Clawson (US 6,641,625)("Clawson").

In light of the amendments to claims 9 and 16 specifying the oxidation reactor operating temperature claims 9, 12, 15, 16, 21, and 23 are not anticipated by Clawson. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim Rejection – 35 USC § 103

Claims 10, 13-15, 17, and 19-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakagawa et al. (US 6,024,774)("Nakagawa"). Dependent claims 10, 13-15, 17, and 19-21 are believed to be in condition for allowance by virtue of their dependence from independent claims 9 and 16. Reconsideration and withdrawal of the rejection is respectfully requested.

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Applicants respectfully request reconsideration of the obviousness rejection. This is believed to be a full and complete response to the outstanding Final Office Action mailed October 16, 2007. The present application is believed to be in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

RCE
U.S.S.N. 10/006,876
October 21, 2008

Prompt and favorable consideration of the captioned application is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Melissa Patangia", is written over a horizontal line.

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